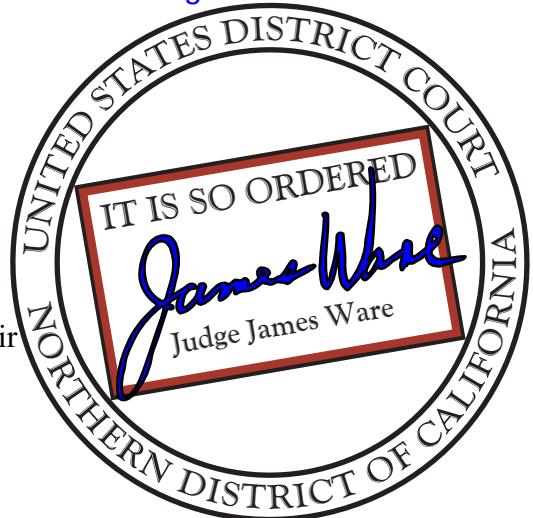


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10
11 IN THE UNITED STATES DISTRICT COURT FOR THE
12 NORTHERN DISTRICT OF CALIFORNIA
13 SAN FRANCISCO DIVISION

15 SIXTY-THREE STRATEGIC
16 INVESTMENT FUNDS; and
PRESIDIO GROWTH LLC
(Tax Matters Partner).

18 Petitioners.

V.

21 || UNITED STATES OF AMERICA.

Respondent.

) Case No. Case No. C-05-1123 JW

**[STIPULATION FOR] ORDER
GRANTING MOTION BY R. CARY
MCNAIR, JR. AND KATHRYN N.
MCNAIR TO PARTICIPATE AS
PARTIES PURSUANT TO I.R.C.
§6226(c) OR FOR LEAVE TO
INTERVENE**

Honorable James Ware, Chief Judge

25 The parties, by and through their undersigned counsel, hereby stipulate to the granting of
26 the Motion of R. Cary McNair, Jr. and Kathryn N. McNair, for Leave to Participate as Parties or
27 for Leave to Intervene filed on December 10, 2009, based on the Notice of Motion and Affidavit
28 of William E. Taggart, Jr. in Support of Motion filed on the same date.

Based upon the foregoing stipulation, the parties respectfully request that the Court grant the Motion of R. Cary McNair, Jr. and Kathryn N. McNair, and order as follows:

ORDER that R. Cary McNair, Jr. and Kathryn N. McNair, be allowed to intervene pursuant to Rule 24 of the Federal Rules of Civil Procedure; and

ORDER that R. Cary McNair, Jr. and Kathryn N. McNair, are parties entitled to participate in all proceedings pursuant to 26 U.S.C. §6226(c).

ORDER such other and further relief as the Court deems appropriate.

Honorable James Ware, Chief Judge

Dated: June 14, 2011

Respectfully submitted,

/s/ William E. Taggart, Jr.
WILLIAM E. TAGGART, JR.
Attorney for Petitioners
R. Cary McNair, Jr. and
Kathryn N. McNair

/s/ Steven M. Bauer
STEVEN M. BAUER
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/s/ Stuart D. Gibson
STUART D. GIBSON
Senior Litigation Counsel
Tax Division, Department of Justice
Attorney for Respondent

CERTIFICATE OF SERVICE

IT IS HEREBY CERTIFIED that service of the foregoing **STIPULATION FOR ORDER GRANTING MOTION BY R. Cary McNair, Jr. and Kathryn N. McNair TO PARTICIPATE AS PARTIES PURSUANT TO IRC §6226(c) or TO INTERVENE** has been made this 14th day of June, 2011, upon the following by ECF:

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